



## CALIFORNIA HIGH-SPEED RAIL AUTHORITY

SCH 2009091125

### NOTICE OF PREPARATION

**FROM:** Mehdi Morshed  
Executive Director  
California High-Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814

**SUBJECT:** Notice of preparation of a Project Environmental Impact Report / Environmental Impact Statement (EIR/EIS) for a Merced to Fresno High-Speed Train System

The California High-Speed Rail Authority (Authority), as the Lead Agency for the California Environmental Quality Act (CEQA) process for a proposed California High-Speed Train (HST) System, issued a Notice of Preparation on February 24, 2009 for the preparation of an Environmental Impact Report (EIR) for the Merced-to-Bakersfield section of the Authority's proposed HST System in compliance with CEQA. The Federal Railroad Administration (FRA), as the federal lead agency for the National Environmental Policy Act (NEPA) process, issued a Notice of Intent to prepare an environmental impact statement (EIS) for this project. Those notices identified alternatives involving the HST alignments and station locations between Merced and Bakersfield.

The Authority and FRA have determined that the environmental effects of the HST System from Merced to Bakersfield are more appropriately assessed in two separate EIR/EIS documents, one from Merced to Fresno and another for Fresno to Bakersfield. This Notice amends the environmental process started on March 13, 2009 to a Project EIR/EIS for the Merced to Fresno section of the HST System. The decision to complete two EIR/EISs was made because the project sections are of sufficient length, with logical termini, allowing for an analysis of environmental matters on a broad scope to ensure that the project will function properly without requiring additional improvements elsewhere, and the assessment of HST alternatives in the Merced to Fresno section will not restrict consideration of alternatives for other transportation improvements.

This NOP initiates the State CEQA process and the preparation of an Environmental Impact Report/Environmental Impact Statement for the Merced to Fresno section of the proposed California High-Speed Train System. The Authority is issuing this NOP to solicit public and agency input into the scope of the EIR and to advise the public that outreach activities will be conducted by the Authority and its representatives in the preparation of the combined EIR/EIS. The FRA has responsibility for overseeing the safety of railroad operations, including the safety of any proposed high-speed ground transportation system. The FRA also has responsibility for providing Federal funding for intercity passenger rail capital investments, including high-speed rail, and may provide financial assistance for the project. The FRA will publish a Notice of Intent (NOI) in the *Federal Register*, announcing the agency's intention to initiate the federal environmental review process for this section of the HST project.

The Authority and the FRA completed a California High Speed Train Program EIR/EIS (Statewide Program EIR/EIS) in August 2005 as the first-phase of a tiered environmental review process for the proposed California HST System. The Statewide Program EIR/EIS generally selected the Burlington Northern Santa Fe (BNSF) railroad corridor for the high-speed train route from Merced to Fresno with

stations at Merced and in Fresno. The Authority and the FRA completed a second program EIR/EIS in July 2008 to evaluate and select general alignments and station locations within the broad corridor between, and including, the Altamont Pass and the Pacheco Pass to connect the Bay Area and Central Valley portions of the HST System. The Bay Area to Central Valley HST Program EIR/EIS identified a preferred alternative through the Pacheco Pass via Henry Miller Road to connect the Bay Area and the Central Valley and along the Union Pacific (UPRR) railroad corridor through the Central Valley. Tiering from the two program EIR/EISs, the Authority and the FRA will prepare a project EIR/EIS for the Merced to Fresno section of the HST.

**DATES:** Written comments on the scope of the Merced to Fresno HST Project EIR/EIS should be provided to the Authority at the earliest possible date but not later than October 30, 2009. These comments will receive equal consideration to comments presented during the March 2009 scoping period for the Merced to Bakersfield HST Project EIR/EIS.

**ADDRESSES:** Written comments on the scope should be sent to Ms. Carrie Bowen, Regional Director, ATTN: Merced to Fresno HST Project EIR/EIS, California High-Speed Rail Authority, 925 L Street, Suite 1425, Sacramento, CA 95814, or via email with subject line "Merced to Fresno HST" to: [comments@hsr.ca.gov](mailto:comments@hsr.ca.gov). Comments may also be provided orally at the same address.

**FOR FURTHER INFORMATION CONTACT:** Ms. Carrie Bowen at (559) 221-2636 or at the above noted address.

**SUPPLEMENTARY INFORMATION:** The Authority was established in 1996 and is authorized and directed by statute to undertake the planning and development of a proposed statewide HST network that is fully coordinated with other public transportation services. The Authority adopted a Business Plan in June 2000, which reviewed the economic feasibility of an 800-mile-long HST system capable of speeds in excess of 220 miles per hour on a dedicated, fully grade-separated state-of-the-art track. The Authority released an updated Business Plan in November 2008.

In 2005, the Authority and FRA completed a Statewide Program EIR/EIS for the Proposed California High-Speed Train System (Statewide Program EIR/EIS), as the first phase of a tiered environmental review process. The Authority certified the Program EIR under CEQA and approved the proposed HST System, and FRA issued a Record of Decision under NEPA for the Program EIS. This Statewide Program EIR/EIS established the purpose and need for the HST System, analyzed an HST System, and compared it with a No Project/No Action Alternative and a Modal Alternative. In approving the Statewide Program EIR/EIS, the Authority and the FRA selected the HST Alternative, selected certain corridors/general alignments and general station locations for further study, incorporated mitigation strategies and design practices, and specified further measures to guide the development of the HST System during the site-specific project environmental review to avoid and minimize potential adverse environmental impacts. In the subsequent Bay Area to Central Valley HST Program EIR/EIS, the Authority and FRA selected the Pacheco Pass alternative, via Henry Miller Road, as the preferred alternative to connect the Bay Area to the Central Valley.

The Merced to Fresno HST Project EIR/EIS will tier from the Statewide Program EIR/EIS and the Bay Area to Central Valley HST Program EIR/EIS in accordance with Council on Environmental Quality (CEQ) regulations, (40 CFR 1508.28) and State CEQA Guidelines (14 California Code of Regulations 15168(b)). Tiering will ensure that the Merced to Fresno HST Project EIR/EIS builds upon all previous work prepared for and incorporated in the Statewide Program EIR/EIS and the Bay Area to Central Valley HST Program EIR/EIS.

The Merced to Fresno HST Project EIR/EIS will describe site-specific environmental impacts, will identify specific mitigation measures to address those impacts, and will incorporate design features to avoid and minimize potential adverse environmental impacts. The FRA and the Authority will assess the site characteristics, size, nature, and timing of the proposed project elements to determine whether the impacts are potentially significant and whether impacts can be avoided or mitigated. This Project EIR/EIS



will identify and evaluate reasonable and feasible site-specific alignment alternatives and evaluate the potential impacts of construction, operation, and maintenance of the HST System, including track, ancillary facilities, and stations, along the preferred alternative corridors from Merced to Fresno. The Merced to Fresno HST Project also includes the connection from the San Jose to Merced HST Project. Information and documents regarding this HST environmental review process will be made available through the Authority's Internet site: <http://www.cahighspeedrail.gov/>.

**Project Objectives/Purpose and Need:** The purpose of the proposed HST System is to provide a new mode of high-speed intercity travel that would link major metropolitan areas of the state; interface with airports, mass transit, and highways; and provide added capacity to meet increases in intercity travel demand in California in a manner sensitive to and protective of California's unique natural resources. The need for an HST System is directly related to the expected growth in population, and increases in intercity travel demand in California over the next twenty years and beyond. With the growth in travel demand, there will be an increase in travel delays arising from the growing congestion on California's highways and at airports. In addition, there will be negative effects on the economy, quality of life, and air quality in and around California's metropolitan areas from an increasingly congested transportation system that will become less reliable as travel demand increases. The intercity highway system, commercial airports, and conventional passenger rail serving the intercity travel market are currently operating at or near capacity, and will require large public investments for maintenance and expansion to meet existing demand and future growth. The proposed HST system is designed to address some of the social, economic and environmental problems associated with transportation congestion in California.

**Alternatives:** The Merced to Fresno HST Project EIR/EIS will consider a No Action or No Project Alternative and an HST Alternative for the Merced to Fresno section.

**No Action Alternative:** The No Action Alternative (No Project or No Build) represents the conditions in the corridor as it existed in 2009, and as it would exist based on programmed and funded improvements to the intercity transportation system and other reasonably foreseeable projects through 2035, taking into account the following sources of information: the State Transportation Improvement Program (STIP), Regional Transportation Plans (RTPs) for all modes of travel, airport plans, intercity passenger rail plans, and city and county plans.

**HST Alternative:** The Authority proposes to construct, operate and maintain an electric-powered steel-wheel-on-steel-rail HST System, about 800 miles long, capable of operating speeds of 220 mph on dedicated, fully grade-separated tracks, with state-of-the-art safety, signaling, and automated train control systems. As part of the Bay Area to Central Valley HST Program EIR/EIS, the Authority and FRA selected the UPRR railroad alignment through the portion of the Central Valley from north of Madera to south of Stockton as the preferred alternative. This Project EIR/EIS will also evaluate the BNSF railroad alignment in this part of the Central Valley because of the uncertainty of negotiating with the UPRR for some of their right-of-way and will continue investigation of alignment/linkages to a potential light or heavy maintenance facility at potential sites, including Castle AFB.

The BNSF alignment from Madera to Fresno was selected with the Statewide Program EIR/EIS. As defined in the Statewide Program EIR/EIS, this alignment would utilize the UPRR corridor through the urban area of Fresno. The HST would operate in this area at speeds up to 220 mph on tracks separate from the existing BNSF and UPRR tracks. Engineering studies to be undertaken as part of this EIR/EIS process will examine and refine alignments in the BNSF and UPRR corridors. The entire alignment would be grade separated from existing roadways. In addition, alternative sites for right-of-way maintenance, train storage facilities, and a light or heavy maintenance and repair facility will be evaluated in the Merced to Fresno HST project area. See Figure A for a map of the Merced to Fresno section of the HST System.

The preferred station locations selected by the Authority and FRA through the Statewide Program EIR/EIS and the Bay Area to Central Valley HST Program EIR/EIS in Merced will be evaluated in the Merced to Fresno HST Project EIR/EIS. The station in Fresno will be analyzed in the EIR/EIS for the Fresno to Bakersfield section of the HST System. Alternative station sites at or near the selected station locations may be identified and evaluated.



**Probable Effects:** The purpose of the EIR/EIS process is to explore in a public setting the effects of the proposed project on the physical, human, and natural environment. The FRA and the Authority will continue the tiered evaluation of all significant environmental, social, and economic impacts of the construction and operation of the HST System. Impact areas to be addressed include transportation impacts; safety and security; land use and zoning; land acquisition, displacements, and relocations and cumulative and secondary impacts; agricultural land impacts; cultural resource impacts, including impacts on historical and archaeological resources and parklands/recreation areas; neighborhood compatibility and environmental justice; natural resource impacts including air quality, wetlands, water resources, noise, vibration, energy, wildlife and ecosystems, including endangered species. Measures to avoid, minimize, and mitigate all adverse impacts will be identified and evaluated.

**Comments:** Public scoping meetings were held in March 2009 for the Merced to Bakersfield HST Project EIR/EIS and are an important component of the scoping process for the Merced to Fresno HST Project EIR/EIS for both the State and Federal environmental review. The Authority encourages broad participation in the EIR/EIS process and review of the resulting environmental documents. Comments and suggestions are invited from all interested agencies and the public to insure the full range of issues related to the proposed action and all reasonable alternatives are addressed and all significant issues are identified. In particular, the Authority is interested in learning whether there are areas of environmental concern where there might be a potential for significant site-specific impacts from the Merced-Fresno section of the HST system. Public agencies with jurisdiction are requested to advise FRA and the Authority of the applicable permit and environmental review requirements of each agency, and the scope and content of the environmental information that is germane to the agency's statutory responsibilities in connection with the proposed project. Public agencies are requested to send their responses to this Notice of Preparation to the Authority at the earliest possible date but not later than October 30, 2009.

The Authority also invites the general public and all other interested parties to comment on the scope and content of this EIR/EIS. The Authority is soliciting additional oral and written comments, suggestions, requests for information, and requests for public meetings no later than October 30, 2009.

These comments will receive equal consideration as comments presented during the March 2009 scoping period for the former Merced to Bakersfield HST Project EIR/EIS.

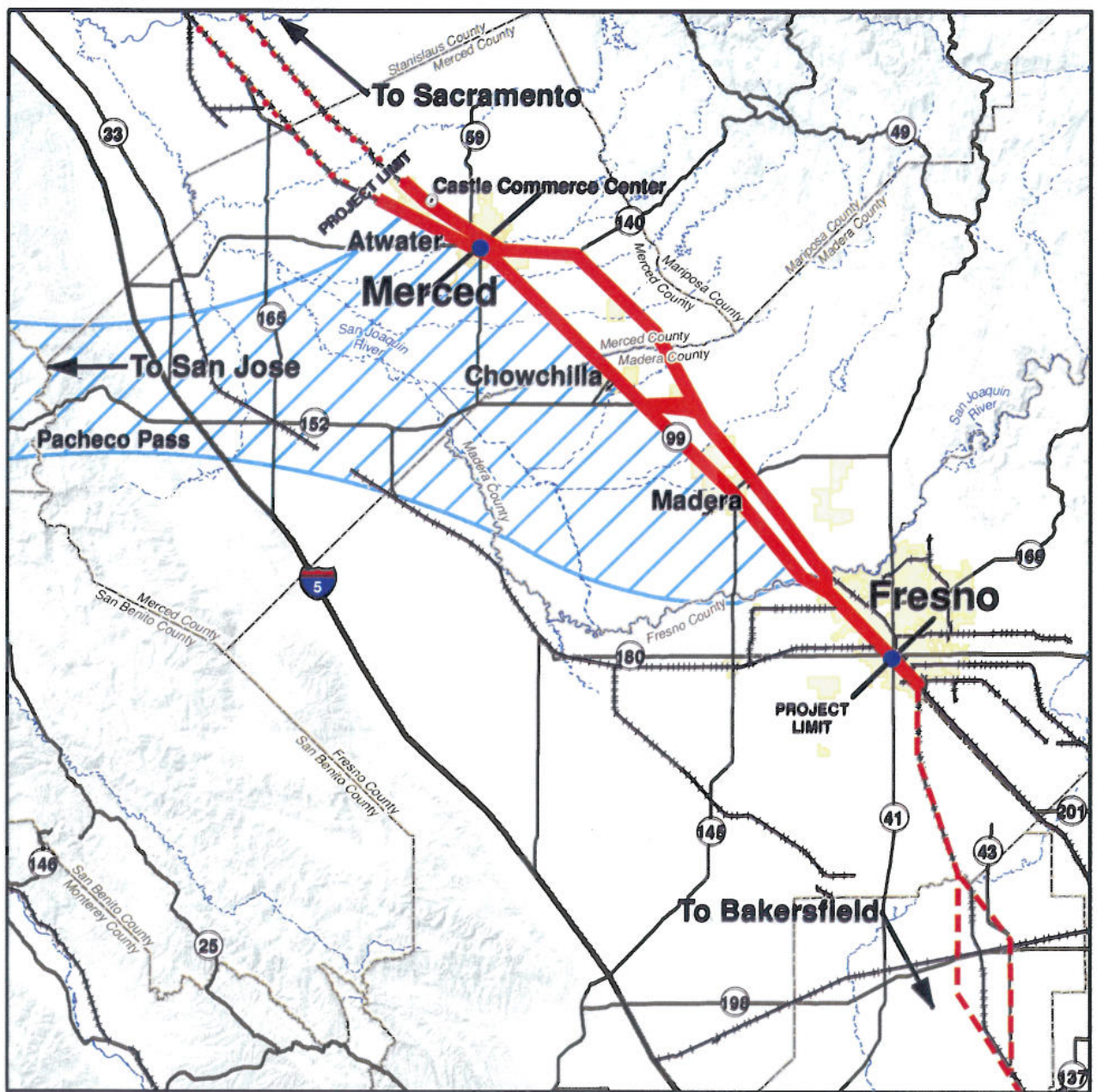
Please send your response and direct any comments or questions regarding this Project to Ms. Carrie Bowen, Regional Director of the California High-Speed Rail Authority at the address shown above.

Date:

9/29/09

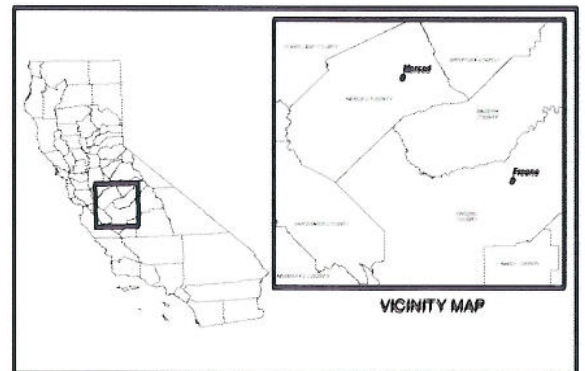
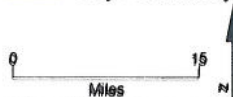
Signature:

 for  
Carrie Bowen, Regional Director



**LEGEND**

- Preferred HST Station
- HST Route Alternatives
- - - Fresno to Bakersfield HST Section
- ... Merced to Sacramento HST Section
- ▨ San Jose to Merced HST Range of Potential Connections
- Interstate System
- State Route
- Railroad
- River
- City Boundary



**FIGURE A**  
**Merced to Fresno HST**  
**Project Section**